

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DONALD MARK,

07-CV-1593-AC

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE,
Commissioner, Social Security
Administration,

Defendant.

RORY JOSEPH LINERUD

Linerud Law Firm
P.O. Box 1105
Salem, OR 97308
(503) 587-8776

Attorneys for Plaintiff

KARIN J. IMMERGUT

United States Attorney

BRITTANIA I. HOBBS

Assistant United States Attorney
1000 S.W. Third Avenue, Suite 600
Portland, OR 97204
(503) 727-1000

DAVID MORADO

Office of the General Counsel

CAROL A. HOCH

Special Assistant United States Attorney

701 Fifth Avenue, Suite 2900 MS/901

Seattle, WA 98104

(206) 615-2271

Attorneys for Defendant

BROWN, Judge.

Magistrate Judge John V. Acosta issued Findings and Recommendation (#13) on December 29, 2008, in which he recommends this Court affirm the Commissioner's decision denying Plaintiff's application for supplemental security income benefits. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983)(rev'd on other grounds). *See also Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8th Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Acosta's Findings and

Recommendation (#13). Accordingly, the Court **AFFIRMS** the Commissioner's decision and **DISMISSES** this matter.

IT IS SO ORDERED.

DATED this 23rd day of February, 2009.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge